

1 STUART F. DELERY
Acting Assistant Attorney General, Civil Division

2
3 MELINDA HAAG (CABN 132612)
United States Attorney for the Northern District of California

4
5 MAAME EWUSI-MENSAH FRIMPONG (CABN 222986)
Deputy Assistant Attorney General, Civil Division

6
7 MICHAEL S. BLUME (PA 78525)
Director, Consumer Protection Branch

8 ADRIENNE E. FOWLER*
9 Trial Attorney, Consumer Protection Branch, U.S. Department of Justice
450 5th St. NW, Room 6400
10 Washington, DC 20530
11 (202) 514-9471
12 (202) 514-8742 (fax)
Adrienne.E.Fowler@usdoj.gov

13 Attorneys for Plaintiff

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 UNITED STATES OF AMERICA,) Case No.:
18)
19 Plaintiff,) **[PROPOSED] STIPULATED ORDER**
v.) **FOR PERMANENT INJUNCTION AND**
20) **CIVIL PENALTY JUDGMENT**
GOOGLE INC.,)
21)
22 Defendant.)
23)

24 Plaintiff, the United States of America, acting upon notification and authorization to the
25 Attorney General by the Federal Trade Commission (“FTC” or the “Commission”), has
26 commenced this action by filing a Complaint pursuant to Sections 5(l) and 16(a) of the Federal
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* Member in good standing of the New York Bar, which does not issue bar numbers.

1 Trade Commission Act (“FTC Act”), 15 U.S.C. §§ 45(l) and 56(a). Defendant, Google Inc.
2 (“Defendant”), has waived service of the summons and the Complaint. The parties, represented
3 by the counsel identified below, have agreed to this settlement of the action without adjudication
4 of any issue of fact or law.

5 The parties have consented to the entry of this Stipulated Order for Permanent Injunction
6 and Civil Penalty Judgment (“Order”) to resolve all matters of dispute between them in this
7 action and any claim that Defendant’s conduct in connection with the matters alleged in the
8 Complaint violated the FTC Act or the FTC Decision and Order in FTC Docket No. C-4336
9 (2011) (“the FTC Order”). However, this Stipulated Judgment and Order does not resolve or
10 impact any matter alleged to violate the antitrust laws of the United States.

11 THEREFORE, it is hereby ORDERED as follows:

12 **STIPULATED FACTS**

13 1. In its Complaint, Plaintiff alleges that Defendant violated Part I of the FTC Order.

14 2. Defendant denies any violation of the FTC Order, any and all liability for the
15 claims set forth in the Complaint, and all material allegations of the Complaint save for those
16 regarding jurisdiction and venue.

17 3. This Court has jurisdiction over the subject matter of this case and jurisdiction
18 over all parties pursuant to 28 U.S.C. §§ 1331, 1337(a), 1345, and 1355, and 15 U.S.C. §§ 45(l)
19 and 56(a).

20 4. Venue is proper as to all parties in this District.

21 5. The Complaint states a claim upon which relief may be granted against Defendant
22 under Section 5(l) of the FTC Act, 15 U.S.C. § 45(l).

23 6. The alleged acts and practices of Defendant are in or affecting commerce, as
24 defined in Section 4 of the FTC Act, 15 U.S.C. § 44, as “commerce among the several States or
25 with foreign nations.”

26 7. Defendant enters into this Order freely and without coercion. Defendant further
27 acknowledges that it has read the provisions of this Order and is prepared and able to abide by
28 them.

STIPULATED ORDER

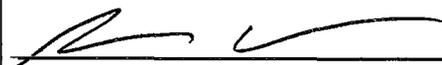
1 **FOR PLAINTIFF UNITED STATES OF AMERICA:**

2 STUART F. DELERY
3 Acting Assistant Attorney General, Civil Division

4 MELINDA HAAG
5 United States Attorney for the Northern District of California

6 MAAME EWUSI-MENSAH FRIMPONG
7 Deputy Assistant Attorney General, Civil Division

8 MICHAEL S. BLUME
9 Director, Consumer Protection Branch

10 

11 ADRIENNE E. FOWLER
12 Trial Attorney
13 Consumer Protection Branch
14 Department of Justice, Civil Division
15 450 5th St. NW, Suite 6400
16 Washington, DC 20530
17 (202) 514-9471
18 (202) 514-8742 (fax)
19 Adrienne.E.Fowler@usdoj.gov

20 Dated: 8/7/12

1 ~~FOR THE FEDERAL TRADE COMMISSION:~~

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3 _____
4 MEGAN E. GRAY

5 Attorney

6 MEGAN A. BARTLEY

7 Attorney

8 Federal Trade Commission

9 Bureau of Consumer Protection

10 Division of Enforcement

11 600 Pennsylvania Avenue, N.W.

12 Mail Drop M-8102B

13 Washington, DC 20580

14 (202) 326-3408, mgray@ftc.gov

15 (202) 326-3424, mbartley@ftc.gov

16 (202) 326-2558 (fax)

17 Dated: _____

18 7/31/12

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STIPULATED ORDER

FOR THE DEFENDANT:

Kent Walker

Kent Walker
Sr. Vice President & General Counsel
Google, Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dated: 6 / 18 / 12

COUNSEL FOR THE DEFENDANT:

Leo P. Cunningham
WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation
650 Page Mill Road
Palo Alto, CA 94022
(650) 565-5100
lcunningham@wsgr.com

Lydia Parnes
WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
lparnes@wsgr.com

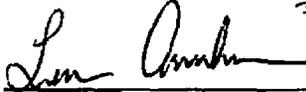
Dated: _____

FOR THE DEFENDANT:

Kent Walker
Sr. Vice President & General Counsel
Google, Inc.
1600 Amphitheatre Parkway
Mountain View, CA 94043

Dated: _____

COUNSEL FOR THE DEFENDANT:



Leo P. Cunningham
WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation
650 Page Mill Road
Palo Alto, CA 94022
(650) 565-5100
lcunningham@wsgr.com

Lydia Parnes
WILSON SONSINI GOODRICH & ROSATI
A Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
lparnes@wsgr.com

Dated: 6/18/12